



February 9, 2005

HOUSE BILL No. 1217

DIGEST OF HB 1217 (Updated January 26, 2005 2:05 pm - DI 107)

Citations Affected: IC 31-19.

Synopsis: Release of adoption history. Requires a person, a licensed child placing agency, or a county office of family and children to release to an adult adoptee certain social, medical, psychological, and educational records and reports concerning the adoptee, including adoption information from adoptions granted before July 1, 1993.

Effective: July 1, 2005.

Frizzell, Budak, Kuzman, Dickinson

January 6, 2005, read first time and referred to Committee on Family, Children and Human Affairs.
February 8, 2005, amended, reported — Do Pass.

C
o
p
y

HB 1217—LS 7491/DI 110+



February 9, 2005

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

HOUSE BILL No. 1217

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 31-19-17-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. **Except as provided**
3 **in section 5 of this chapter**, this chapter applies only to an adoption
4 that is granted after June 30, 1993.

5 SECTION 2. IC 31-19-17-2 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. A person, a licensed
7 child placing agency, or a county office of family and children placing
8 a child for adoption shall prepare a report summarizing the available
9 medical, psychological, and educational records of the person or
10 agency concerning the birth parents. The person, agency, or county
11 office shall exclude from this report information that would identify the
12 birth parents. The person, agency, or county office shall give the report
13 to:

14 (1) the adoptive parents:

15 (†) (A) not later than the time the child is placed with the
16 adoptive parents; or

17 (‡) (B) with the consent of the adoptive parents, not more than

HB 1217—LS 7491/DI 110+



C
o
p
y

thirty (30) days after the child is placed with the adoptive parents; **and**

(2) upon request, an adoptee who is:

(A) at least twenty-one (21) years of age; and

(B) provides proof of identification.

SECTION 3. IC 31-19-17-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. The person, licensed child placing agency, or county office of family and children shall:

(1) exclude information that would identify the birth parents; and

(2) release all available social, medical, psychological, and educational records concerning the child to:

(A) the adoptive parent; and

(B) upon request, an adoptee who is:

(i) at least twenty-one (21) years of age; and

(ii) provides proof of identification.

SECTION 4. IC 31-19-17-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. The person, licensed child placing agency, or county office of family and children shall provide:

(1) the adoptive parent; **and**

(2) upon request, an adoptee who is:

(A) at least twenty-one (21) years of age; and

(B) provides proof of identification.

with a summary of other existing social, medical, psychological, and educational records concerning the child of which the person, agency, or county office has knowledge but does not have possession. If requested by an adoptive parent **or an adoptee**, the person, agency, or county office shall attempt to provide the adoptive parent **or the adoptee** with a copy of any social, medical, psychological, or educational record that is not in the possession of the person, agency, or county office after identifying information has been excluded.

SECTION 5. IC 31-19-17-5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 5. (a) This section applies to an adoption that is granted before July 1, 1993.**

(b) Upon the request of an adoptee who is:

(1) at least twenty-one (21) years of age; and

(2) provides proof of identification;

a person, a licensed child placing agency, or a county office of family and children shall provide to the adoptee available information of social, medical, psychological, and educational records and reports concerning the adoptee. The person, licensed

C
o
p
y



1 **child placing agency, or county office of family and children shall**
 2 **exclude from the records information that would identify the birth**
 3 **parents.**

4 SECTION 6. IC 31-19-19-2 IS AMENDED TO READ AS
 5 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. (a) All files and
 6 records pertaining to the adoption proceedings in:

- 7 (1) the county office of family and children;
- 8 (2) the division of family and children; or
- 9 (3) any of the licensed child placing agencies;

10 are confidential and open to inspection only as provided in
 11 IC 31-19-13-2(2), **IC 31-19-17**, or IC 31-19-25.

12 (b) The files and records described in subsection (a), including
 13 investigation records under IC 31-19-8-5 (or IC 31-3-1-4 before its
 14 repeal):

- 15 (1) are open to the inspection of the court hearing the petition for
 16 adoption; and
- 17 (2) on order of the court, may be:
- 18 (A) introduced into evidence; and
- 19 (B) made a part of the record;
- 20 in the adoption proceeding.

21 SECTION 7. IC 31-19-19-4 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. All papers, records,
 23 and information pertaining to the adoption, whether part of:

- 24 (1) the permanent record of the court; or
- 25 (2) a file in:
- 26 (A) the division of vital records;
- 27 (B) the division of family and children or county office of
- 28 family and children;
- 29 (C) a licensed child placing agency; or
- 30 (D) a professional health care provider (as defined in
- 31 IC 34-6-2-117);

32 are confidential and may be disclosed only in accordance with
 33 **IC 31-19-17**, this chapter, or IC 31-19-25.

C
O
P
Y



COMMITTEE REPORT

Mr. Speaker: Your Committee on Family, Children and Human Affairs, to which was referred House Bill 1217, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 3, delete "is at least eighteen (18)" and insert "**is:**

(A) at least twenty-one (21) years of age; and

(B) provides proof of identification."

Page 2, delete line 4.

Page 2, line 12, delete "is at least eighteen (18)" and insert "**is:**

(i) at least twenty-one (21) years of age; and

(ii) provides proof of identification."

Page 2, delete line 13.

Page 2, line 19, delete "is at least eighteen (18)" and insert "**is:**

(A) at least twenty-one (21) years of age; and

(B) provides proof of identification."

Page 2, delete line 20.

Page 2, line 33, delete "is at least eighteen (18)" and insert "**is:**

(1) at least twenty-one (21) years of age; and

(2) provides proof of identification;"

Page 2, line 34, delete "years of age,".

Page 2, line 34, beginning with "a person" begin a new line blocked left.

and when so amended that said bill do pass.

(Reference is to HB 1217 as introduced.)

BUDAK, Chair

Committee Vote: yeas 12, nays 0.

C
o
p
y

